

EXHIBIT 1 - SUPERIOR COURT ORDER

STATE OF NORTH CAROLINA
COUNTY OF IREDELL

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
83CRS010721

STATE OF NORTH CAROLINA

v.

Brett Abrams,
Defendant.

2022 JUL -1 A 11:48
IREDELL CO. C.S.C.
BY)
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ORDER

THIS CAUSE coming on to be heard and being heard by the undersigned Superior Court Judge; and for good cause shown as detailed in Defendant's Motion, the Court hereby finds that:

1. On May 22, 1984, Brett Abrams (09/01/1968; OPUS # 400) was convicted of second degree murder in Iredell County file number 83 CRS 10721.

2. Mr. Abrams received a sentence of life with parole and is serving the sentence now at Orange Correctional Center in Hillsborough, North Carolina.

3. Over the next six months, Mr. Abrams will be considered for parole by the North Carolina Post-Release Supervision and Parole Commission and for relief by the Juvenile Sentence Review Board.

4. Undersigned counsel represent Mr. Abrams for purposes of preparing evidence in support of parole and clemency.

5. The Fourth Circuit has held that an incarcerated person has procedural due process rights during parole review. *See Franklin v. Shields*, 569 F.2d 784, 794 (4th Cir. 1977) (upholding lower court's conclusion that an incarcerated person "should be afforded access to the information in his files on which the parole decision is to be based, unless such access threatens prison security or poses harm to someone"). The requested relief is consistent with *Franklin*.

6. Additionally, it is in the interests of justice, and within this Court's discretion to manage discovery in criminal proceedings, to grant the motion. *See State v. Buckner*, 351 N.C. 401, 410,

527 S.E.2d 307, 313 (2000); *State v. Taylor*, 327 N.C. 147, 153, 393 S.E.2d 801, 806 (1990).

7. Because the North Carolina Post-Release Supervision and Parole Commission maintains its central offices within Wake County, the above-captioned matter is within this Court's jurisdiction.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. Upon presentation of this order to the appropriate custodian, the North Carolina Post-Release Supervision and Parole Commission and/or its other agents shall furnish records of Brett Abrams, OPUS # 400, to Mr. Abram's counsel.

2. That the North Carolina Post-Release Supervision and Parole Commission produce Mr. Abrams's entire file, including but not limited to incarceration records, post-release supervision records, and parole records. These records may include case-worker reports, inmate evaluations, custody reviews, disciplinary records, infraction records, violation reports, raw psychiatric data, records of psychiatric and psychological testing (including IQ scores and dates and names of administrators of IQ or other psychiatric or psychological tests), and all information contained in the computer systems on Mr. Abrams by the Parole Commission. Mr. Abrams also seeks all medical and mental health records produced, pursued, or obtained by the Parole Commission.

3. The attorneys for Defendant are directed not to disclose said records to any other person except to mental health professionals and other individuals assisting in the representation of Mr. Abrams.

4. The fee for copying and mailing records shall be waived due to Defendant's indigence.

This the 28 day of June, 2022.


Superior Court Judge

Paul C. Ridgeway
Senior Resident
Superior Court Judge

Cooper, Bettye D.

From: David.F.Hoke@nccourts.org
Sent: Tuesday, June 28, 2022 3:40 PM
To: Beall, Joy G.; Bingman, Samantha B.; Blackburn, Christopher J.; Cooper, Bettye D.; Cranfill, Sue A.; Getz, Kelsey N.; Greer, Elizabeth A.; Kesler, Tammy H.; Hayden, Tueresa P.; Hoke, David F.; Ijames, Reuben J.; Kirkman, Sarah M.; Mixson, James L.; Myers, Kellie Z.; Quanz, Heather A.; Ridgeway, Paul C.; Smallwood, Shanda R.; Tucker, Lisa R.; Turnley, Dawn
Subject: Week of 6/27/2022 - CRCV Special Session

entry of order

Iredell County

A Special Session of Superior Court is hereby set for Iredell County for the trial of Criminal and Civil cases to begin June 28, 2022, and continue One Day, or until the business is completed. The Honorable Paul C. Ridgeway, one of the Regular Judges of the Superior Court, is commissioned and assigned to preside over this session.

Cooper, Bettye D.

From: Paul Ridgeway <paul.ridgeway@gmail.com>
Sent: Tuesday, June 28, 2022 3:23 PM
To: Cooper, Bettye D.
Subject: Fwd: Ex parte motion for Iredell County case

Paul Ridgeway

Senior Resident Superior Court Judge
Wake County Justice Center
P.O. Box 351
Raleigh, NC 27602
(919) 792-4950

----- Forwarded message -----

From: Crosswhite, Joseph N. <Joseph.N.Crosswhite@nccourts.org>
Date: Tue, Jun 28, 2022 at 9:47 AM
Subject: RE: Ex parte motion for Iredell County case
To: Paul Ridgeway <paul.ridgeway@gmail.com>

Good morning and it was great to see you as well and get to catch up. We have all been living in isolation the past few years. I am already looking forward to October. Thank you so much for letting me know about this order. I am fine with you signing this. Please let me know if you need anything else, and look forward to seeing you again soon

Joe

From: Paul Ridgeway <paul.ridgeway@gmail.com>
Sent: Monday, June 27, 2022 4:59 PM
To: Crosswhite, Joseph N. <Joseph.N.Crosswhite@nccourts.org>; Cooper, Bettye D. <Bettye.D.Cooper@nccourts.org>
Subject: Ex parte motion for Iredell County case

Good afternoon, Joe - great seeing you at the conference.

I've received a motion from an attorney to enter an ex parte order for various records maintained by the NC Parole Commission for a defendant (Brett Abrams) who was convicted in or about 1984 of second degree murder in Iredell County (83 CRS 10731) and received a life sentence. The request for the order came from an attorney in her representation of this defendant before the Parole Commission and the Juvenile Sentence Review Board.

The ex parte motion and order were sent to me since the records being sought are in Wake County.

Since this is a case originating outside of Wake County, it is my practice, when I receive similar motions, to notify the senior resident superior court judge in the matter's home judicial district prior to my obtaining a commission and signing the order. If you don't have a problem with me taking care of this, I will be glad to, and after I sign the order I'll send it to the Iredell County Clerk of Superior Court to put in the court file, under seal.

Let me know if you have any concerns about me proceeding as outlined above.

Thanks, and stay well -

Paul Ridgeway

Senior Resident Superior Court Judge
Wake County Justice Center
P.O. Box 351
Raleigh, NC 27602
(919) 792-4950

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